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January 23, 2024

Application denied. The Court has already granted two adjournment requests. The parties should appear for the conference as scheduled and be prepared to discuss a case management plan.

Via ECF

The Honorable Arun Subramanian
United States District Judge
Southern District of New York
500 Pearl Street, Courtroom 15A
New York, NY 10007

The Clerk of Court is directed to terminate Dkt. 31.



Arun Subramanian, U.S.D.J.

Date: January 24, 2024

Re: *Hongmian Gong v. Lerone Savage*, 23-CV-07355 (AS)

Dear Judge Subramanian,

Plaintiff hereby respectfully requests adjournment of the initial pre-trial conference currently scheduled for January 26, 2024, at 9:30 a.m. and an extension of time to file the associated Scheduling Order, Joint Letter, and Proposed Case Scheduling Plan.

Pursuant to the Court's January 23, 2024, Order, ECF No. 30, the parties were directed to file a joint letter and proposed case management plan by January 24, 2024. Plaintiff has attached a copy of a proposed case management plan hereto as Exhibit A. Plaintiff has not received Defendant's consent to the proposed case management plan, and the parties have not conferred in preparation of a joint letter, given that Defendant filed a motion to dismiss Plaintiff's Amended Complaint on January 19, 2024. Plaintiff hereby respectfully requests that the pretrial conference be adjourned for 21 days. Plaintiff further requests a 21-day extension of time in which to file the Joint Letter, Proposed Civil Case Management Plan and Scheduling Order.

As of the filing of this letter motion, two previous requests for an extension of time or adjournment have been submitted with respect to the initial pretrial conference and required submissions. These requests were granted by the Court. Plaintiff's counsel has contacted counsel for Defendant but was unable to reach him. Therefore, he has not consented to the proposed case management plan or to this motion. Plaintiff's counsel requests this adjournment so that Plaintiff's counsel can review Defendant's Motion to Dismiss, and so that Plaintiff's counsel can consult with his counterpart representing Defendant. As of the filing of this motion, Plaintiff must file its opposition to Defendant's Motion to Dismiss Plaintiff's Amended Complaint by February 2, 2024.

Accordingly, Plaintiff's counsel respectfully requests that the initial Pre-Trial Conference scheduled for January 26, 2024, at 9:30 a.m. be adjourned and that the due date for the associated scheduling documents be extended for 21 days.

Hon. Arun Subramanian January 23, 2024 Page 2 of 2

Respectfully submitted,

By: /s/ Robert D. Katz
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